

The General Assembly and the Commission of the Kirk, 1638-51

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Any discussion about the central government of the Kirk during the years that the covenanters ruled Scotland must take account of "management", the ways in which the dominant groups in the kirk won control of it, and then maintained this control. For throughout this period a large minority of ministers, and at times a majority, did not wholeheartedly support some of the main policies implemented by the general assembly and the commission of the kirk. How, then, was it that these bodies could impose such policies successfully? Basically, the answer is simple. History affords many examples of zealous, well organised minority groups controlling institutions (of church or state) successfully in the face of more moderate majorities which are unwilling or unable to unite and organise themselves effectively, since they consist largely of men anxious to avoid trouble, with no taste for controversy and no ambition to lead factions or parties. The covenanting kirk had, on many occasions, such a "silent majority" of men who, for good reasons or bad, refused to compete with the active minority groups, which were thus able to force their policies on the kirk.

The trump card held by the minority of ministers who demanded revolution in 1638, not just reform, was lay support. The more moderate ministers were over-awed by the strength of the support powerful laymen gave the more extreme covenanters. These laymen forced their way into presbyteries as elders, thus gaining a voice in the election of commissioners to the general assembly. It is clear that the Glasgow Assembly of 1638 was effectively packed by elders taking part in elections and themselves sitting in the assembly, supporting the minority of more extreme ministers. Threats of violence deterred some anti-covenanters from attending; others were excluded on the grounds that they had been cited to appear before the assembly for trial. As if this was not enough four to six gentlemen from each presbytery, and up to six burgesses from each burgh, were to accompany commissioners to the assembly as "assessors" to advise them how to vote.¹

Elections to assemblies did not have to be organised so elaborately in later years; the covenanters were firmly in control of the country and their active opponents had been purged from the ministry. Moreover other, less blatant, ways of managing assemblies were tried and found to be effective.

¹ See D. Stevenson, *The Scottish Revolution: 1637-44, The Triumph of the Covenanters* (Newton Abbot, 1973), 105-8, 112-14, 120.

First of all, the more extreme ministers had sought a way of controlling the business put before the assembly. One way in which they achieved this was by holding semi-secret preparatory meetings before each assembly met. Thus just before the Glasgow Assembly “we held som privat meitings anent choysing the Moderator and the Clerk”; it was decided to get Alexander Henderson elected moderator, Archibald Johnston of Wariston clerk.² This was not all the meeting decided; according to Wariston the assembly “proceided publickly according to the treatise of proceidings in privat”.³ What was to be done, and how, was decided on before the assembly even met.

Such private meetings of leading ministers and lay covenanters before general assemblies became regular events. In 1643 “some few of us meeting in Waristoun’s chamber, advysed whom to have on committee for bills, reports, and on other things” — including on who should be moderator.⁴ By 1648 Robert Baillie could write that “In all prior Assemblies, some few of us mett the night before the Assemblie in Warriston’s chamber, with Argyle, the Chancellour, and some other of our wisest friends, to consider about the choysing of the moderator, committees, and cheife points of the Assemblie”; this had not been done in 1648 since many of the leading lay covenanters had retired from Edinburgh to avoid being forced to accept the Engagement, the treaty with the king which the state supported but the kirk opposed.⁵

Decision on a moderator was obviously important in managing the assembly; but how could it be assured that the man agreed on would be elected? In 1638 the fact that Alexander Henderson was the covenanting leaders’ choice was circulated to members of the assembly, and he was then elected from the leet unanimously (except for his own vote).⁶ After 1638 the candidates put on the leet were chosen by the previous moderator; in 1639 this was called an “antient and laudable custom”, in 1641 the “old fashion”.⁷ This allowed the previous moderator to so manipulate the leet that the person chosen at the preparative meeting was almost certain to be elected — by choosing as the other ministers on the leet men of little standing

² A. Johnston of Wariston, *Diary . . . 1632-9*, ed. G. M. Paul (Scottish History Society, 1911), 400.

³ *Ibid.*, 401.

⁴ R. Baillie, *Letters and Journals*, ed. D. Laing (3 vols., Bannatyne Club, 1841-2), ii, 83.

⁵ *Ibid.*, iii, 53. For meetings before assemblies preparing business for them prior to 1638 see, e.g., D. Calderwood, *The History of the Kirk of Scotland*, ed. T. Thomson (8 vols., Wodrow Society, 1842-9), iii, 385. vii, 94.

⁶ Johnston, *Diary . . . 1632-9*, 401; J. Gordon, *History of Scots Affairs*, eds. J. Robertson and G. Grub (3 vols., Spalding Club, 1840-1), i, 143-4.

⁷ *Ibid.*, iii, 39; A. Peterkin (ed.), *Records of the Kirk of Scotland* (Edinburgh, 1838), 242; Baillie, *Letters*, i, 363.

or popularity. Most members of assemblies at first accepted this custom, but opposition to it soon appeared. Sometimes the assembly insisted on adding names to the leet, as in 1642, when the earl of Cassillis did so for "the keeping of the Assemblies' libertie".⁸ Again, when in 1643 the previous moderator leeted Henderson (as decided in advance) along with three ministers who had no chance of gaining many votes, the arrangement was nearly upset when members "who knew not the secret" demanded additions to the leet.⁹

By 1647 organised opposition to the system of choosing a moderator was strong enough to get it altered. David Calderwood (revered as the historian of the kirk) and others failed by only a few votes to get their own candidate elected, and they pushed through an "Act concerning the choosing of the Moderator".¹⁰ Robert Baillie denounced the act as "a new ridiculous way of choiseing the Moderator" which "puts in the hand of base men to get one whom they please".¹¹ By "base men" he evidently meant the ordinary members of the assembly!

The new system was, evidently, that the previous moderator would name two men to be on the leet, and the whole assembly then would agree on another three names. Baillie's opinion of the act had mellowed by the time it was first put into effect in 1648; he did complain that the system was "very longsome" but admitted that it was "a equall and satisfactory way". He was probably reassured by the fact that the candidate elected was one of those named by the previous moderator in spite of the new act.¹² In 1649 Robert Douglas as previous moderator (in 1647; the 1648 moderator, George Gillespie, had died) leeted Andrew Cant "in earnest" and Mungo Law "for a fashion", it being intended that Cant should be elected. But instead the assembly put Douglas himself on the leet and elected him.¹³

This was significant, for Douglas was a much more moderate man than Cant; the kirk party, which now controlled the kirk, had gone too far by trying to get Cant elected, and had failed. Usually this mistake was avoided; the "official" candidate for the moderatorship was a man carefully selected to ensure that he was someone who would win the votes of moderates while carrying out the plans of the more extreme covenanters. Most of the best known ministers in the kirk in the 1640s can be identified with what has been called the "radical party", a

⁸ *Ibid.*, ii, 45-6. See also Peterkin, *Records*, 242.

⁹ Baillie, *Letters*, ii, 84.

¹⁰ Peterkin, *Records*, 483.

¹¹ Baillie, *Letters*, iii, 20, 21.

¹² George Gillespie received over 150 votes, John Smith about 40, Robert Blair a few, Andrew Cant two, and David Dickson none. Baillie, *Letters*, iii, 52-3; Scottish Record Office [SRO], GD.40/II/67, Lothian Papers, Robert Moray to the Earl of Lothian, 13th July 1648.

¹³ Baillie, *Letters*, iii, 91.

group of ministers who pressed for the holding of prayer meetings outside congregational worship and for other changes in traditional forms of worship which were (at first) unacceptable to most ministers. Men like Samuel Rutherford, David Dickson, Robert Blair, John Livingstone, James Guthrie, Andrew Cant, and George and Patrick Gillespie were all of this group.¹⁴ But these radicals, though playing a leading part in the general assemblies (and especially in the private consultations preparing for assemblies) seldom moderated. In the fourteen assemblies of 1638-51 radicals moderated only four times. Two of these occasions were towards the end of the period, when the radical-dominated kirk party was briefly able to control the kirk. George Gillespie was elected in 1648 when reaction against the Engagement led to ministers looking with more favour than usual on the radicals, and in 1650 Andrew Cant (after failing to be elected the previous year) moderated. The two radicals who moderated before this were David Dickson in 1639 and Robert Blair in 1646. What is interesting about this is that these were the two most moderate of the ministers who can be identified as radicals; they were to be the only two radical leaders who, when the kirk was split by schism in 1650-51, joined the moderate resolutioners rather than the extremist protesters.¹⁵

Of the leading covenanting ministers who were not radicals Alexander Henderson and Robert Douglas were by far the best known. Both were active and sincere covenanters, but nonetheless men with some breadth of outlook and lack of fanaticism which won them the respect and trust of the more moderate ministers. It was therefore to them that the covenanters frequently looked for moderators. Henderson moderated three times (1638, 1641, 1643) before his death in 1646, Robert Douglas no fewer than five times (1642, 1645, 1647, 1649, 1651), while lesser known men of rather similar character presided in the other two assemblies of the period (Andrew Ramsay in 1640, James Bonar in 1644). Radical ministers might often dominate the private consultations which usually decided on the moderator, but they clearly realised that they would not themselves be usually acceptable as moderators either to more moderate ministers in the assembly or to most lay covenanters.

As well as deciding who should be moderator, the meetings before each assembly often decided, as some of the passages already quoted indicate, who should be on the most important committees which would sit during the assemblies — especially the committee for bills and overtures, and that for references and reports. As an act of 1640 laid down that no motion should normally come before the full assembly except through these

¹⁴ See D. Stevenson, "The Radical Party in the Kirk, 1637-45", *Journal of Ecclesiastical History*, xxv (1974), 135-65.

¹⁵ *Ibid.*, 162-3.

committees,¹⁶ they effectively controlled what the assembly debated and what it did not — and this 1640 act was passed specifically to prevent Henry Guthry (minister of Stirling) making controversial charges in the full assembly against some radical ministers.¹⁷

With meetings before each assembly proving able to determine who should be moderator and who should sit on committees, the hold of those who dominated these meetings on the assemblies was strong. Yet the covenanters resorted also to an additional expedient; the privy conference of the moderator and his assessors. In this, during each assembly, the moderator and leading covenanters (laymen as well as ministers) exercised general oversight over the detailed work of the committees, and planned tactics as the assembly proceeded.

The need for such a privy conference was evidently decided on by the covenanters before the 1638 assembly, for once Henderson was elected moderator he, “professing his owne insufficiencie for so weightie a charge”, asked that assessors be nominated “to joyne with him in a privat conference for ordering of matters to be proponed in Assembly”. This led immediately to strong protests, led by David Dalgleish who said “I have seen Assemblies of old, and such pryve [presumably a misprint for ‘privy’] conferences, according to my poore observation, hath wrought great prejudice to the Kirk; therefore, I would wish that all were done by a voluntar consent, and by the concurrence of the whole Assembly”.¹⁸

Dalgleish was right. “Privy conferences” under various names had become regular in general assemblies after 1577, as assessors were appointed to consult with the moderator about the business to be done “for the better expedition of matters”.¹⁹ As early as 1580 “certain brether were offendit with the ordour of Assessours . . . as though some tyrannie or vsurpation might creip in therby, or libertie takin from the brether”. However, assessors continued to be appointed.²⁰ References to them disappear in the later 1590s (though they probably still existed), but in 1600-18 the privy conference developed into one of the main means whereby James VI dominated assemblies; it became the master of the assembly instead of its servant.²¹ It was said,

¹⁶ Peterkin, *Records*, 279.

¹⁷ Baillie, *Letters*, i, 251.

¹⁸ Peterkin, *Records*, 139.

¹⁹ E.g., T. Thomson (ed.), *Booke of the Universall Kirk of Scotland* (3 vols., Bannatyne and Maitland Clubs, 1839-45), i, 382, ii, 403, 418, 427; Calderwood, *History*, iii, 378, 398, 410, 443.

²⁰ Thomson, *Booke of the Universall Kirk*, ii, 449-50 and passim; Calderwood, *History*, iii, 463-4 and passim.

²¹ Thomson, *Booke of the Universall Kirk*, iii, 979-80, 1024, 1046-7; Calderwood, *History*, vi, 3, 161, 606, 752, 757, vii, 223, 285, 317-18; J. Row, *The History of the Kirk of Scotland* (Wodrow Society, 1842), 275-6, 306, 314; Peterkin, *Records*, 139-40.

for example, of the 1610 assembly that its main acts were “set down *verbatim* in the privy conference” and “only read to be ratified in the Assembly” without debate.²² The parallel with the way in which the Lords of the Articles had developed until they effectively controlled the Scottish parliament is close; in each institution the excuse for concentrating power in the hands of a few members was the same — it was efficient, and shortened meetings.

The historian John Row concluded that privy conferences “hes been the wrack of almost all our Assemblies continuallie”;²³ yet the leading covenanters wished to revive them. The conferences were too useful a method of controlling assemblies to be rejected just because of their unfortunate associations. But David Dalgleish’s protests won the support of the 1638 assembly, in spite of Henderson’s argument that though conferences might have done harm in the past there was nothing wrong with them in principle. The assembly “altogidder reicted” them, passing “an Act of disallowing anie private conference with the Moderator”.²⁴ But then, astonishingly, the assembly agreed instead to something that was much more dangerous to its liberty. It refused to allow a conference or to appoint moderator’s assessors, but it agreed that he should be able informally to choose assessors himself, though they were to confine themselves to preparing business for the assembly and were not to take decisions.²⁵ This, hardly surprisingly, “some judged to differ little from the private conference and constant assessors”.²⁶ In fact it was worse; the assembly had refused the chance itself to elect assessors, but had sanctioned unofficial ones over whom it could have no control. One source suggests that this was what Henderson had intended from the start,²⁷ though possible, this seems unlikely.

While the assembly as a whole contained many more ministers than elders (see appendix), and the composition of committees elected by it usually reflected this, the assessors Henderson chose for himself consisted of eleven elders and only four ministers.²⁸ Similarly the following year David Dickson chose nine elders and seven ministers, the assembly having again refused to appoint assessors but agreed that he might “crave their assistance in privat”.²⁹ Thus men who remained essentially

²² *Ibid.*, 25.

²³ Row, *History*, 275-6.

²⁴ Peterkin, *Records*, 46.

²⁵ Henderson, *Scottish Revolution, 1637-44*, 120-1; Baillie, *Letters*, i, 137; Sir J. Balfour, *Historical Works* (4 vols., Edinburgh, 1824-5), iii, 302; Peterkin, *Records*, 139-40.

²⁶ Gordon, *History*, i, 159.

²⁷ *Ibid.*, i, 158-9.

²⁸ Baillie, *Letters*, i, 137.

²⁹ Peterkin, *Records*, 243-4.

laymen, though called elders, not only played a leading part in elections and themselves sat in assemblies, they also formed a majority on the privy conference; they were determined to keep control of the ministry, in order to keep their pretensions in check.³⁰ Whether laymen continued to form a majority on the unofficial privy conference after 1639 is not known, but they certainly continued to play a leading part in it — as in 1642 when the marquis of Argyll was especially active; “Our privie committee, before or after the Assemblie [met], he never missed”,³¹ a comment which indicates how the preparatory meetings before an assembly could merge into the privy conference during it.

In 1641 Henderson (again moderator) formed the conference by sending privately for “those whom most he needed”,³² and in 1642 the moderator’s assessors “were secretlie advertised; for none were allowed publickly”, which seems to indicate that suspicion of the conference was growing. In this assembly members of the main committees were chosen by the moderator and his assessors after the assembly had begun. Members who, it was feared, would prove troublesome (like Henry Guthry) — “these men from whom we expected most fasherie” — were put on a minor committee for considering the state of Orkney and Shetland to distract them from more contentious matters. The assembly duly agreed to the membership of the committees “as we had resolved”. The conference also considered a list of business to be submitted to the assembly, drafted by Wariston;³³ under the vigorous Wariston the clerkship of the assembly was developing into an office of great influence. By 1649 we hear that “The Committees were formed according to the custom by the Moderator and clerk in private”.³⁴

In spite of the fact that the conference during the 1642 assembly evidently had had to be kept secret, in 1643 the assembly agreed to remit the most important business to it — while still leaving its status unofficial. English parliamentary commissioners had arrived to negotiate a civil and religious alliance with the covenanters. The moderator asked the judgment of “several brethren” in the assembly about how negotiations for a religious agreement should be carried out. Those he asked (as had no doubt been arranged in advance) advised that negotiations should be left to “himself and his assessors”, and this the assembly accepted. Thus it was the moderator and his assessors who drew up the solemn league and covenant. It was then produced before the full assembly, read twice, and an

³⁰ Stevenson, D., *Scottish Revolution, 1637-44*, 299-304.

³¹ Baillie, *Letters*, ii, 47.

³² *Ibid.*, i, 362, 364.

³³ *Ibid.*, ii, 46-7.

³⁴ *Ibid.*, iii, 91.

immediate vote on it demanded. One minister ventured to suggest "that before men were urged to vote about it, leisure might be given them for some few days to have their scruples removed". This was rejected, and an immediate vote taken without any debate at all.³⁵ The assembly seemed in danger of reverting to its state of 1610, ratifying without debate acts drafted in the privy conference.

The 1643 assembly, however, was unusual; it met in an emergency situation when quick decisions and a show of unanimity were necessary. Usually in this period there was at least some debate in the full assembly on important acts — though the progress of these debates was doubtless often carefully orchestrated by the moderator and his assessors.

The effectiveness of the usual management of assemblies by the privy conference and committees was emphasised in 1648 when the system was not fully used. "The want of these private preparatory meetings, which the Moderator's health permitted him not to attend, did make our Assemblée needlessly long, and very tedious" while "his unacquaintance with the affaires of the committee before they came to the face of the Assemblée, made the reports unrype and unadvysed" so that they often had to be referred back to the committee concerned.³⁶

This confusion in the 1648 assembly underlines the fact that, of course, some organisation, some management, was necessary if general assemblies were to achieve anything. With no rules of procedure, no committees to select and prepare business, assemblies would have dragged on endlessly. Realisation of this obvious fact was doubtless one of the main reasons that most members of the assemblies accepted the existence of the unofficial preparatory meetings and privy conferences. Nonetheless the success of the covenanters' management of the assemblies is surprising. Important matters over which the majority (or even a vocal minority) of members disagreed with the covenanting leaders were not put before the assembly, were held back until circumstances seemed favourable to them, or were referred to the commission of the kirk. Or they might be debated but no vote taken. Robert Wodrow wrote (in 1709) that in this period those whom he calls "the honest ministers" "durst scarce lett things of any ticklish nature come to a vote, but caryed things by the force of reasoning and their influence in their charrangues in open Assembly".³⁷ This certainly well describes the conduct of the covenanting leaders over complaints made against radical ministers for holding prayer meetings and

³⁵ H. Guthry, *Memoirs* (2nd ed., Glasgow, 1747), 136-8; Baillie, *Letters*, ii, 85.

³⁶ *Ibid.*, iii, 53.

³⁷ R. Wodrow, *Early Letters*, ed. L. W. Sharp (Scottish History Society, 1937), 303.

introducing innovations in worship; so far as possible discussion of these matters was confined to the privy conference and other committees, since the full assemblies were opposed to the radicals.³⁸

Most ministers might accept such management, but they often did so grudgingly and suspiciously, to avoid trouble and being persecuted as malignants. Many were over-awed by their social superiors, nobles and lairds, who sat as elders. It is significant that the fears of moderate ministers were most openly expressed in the 1640 assembly, for this "confused disorder of a Generall Assemblie" was partly attributed to the fact that not so many nobles as usual sat as elders; "some of our respected nobles" were needed to keep the ministers in order.³⁹ Others, undeterred by respect for social superiors or fears of persecution, held their tongues for fear of causing disunity. The covenanting kirk was continually in danger from outside, as one political emergency followed another, and many felt that this obliged them to refrain from raising contentious issues. This was especially so in the 1638 assembly, when most of the votes taken were virtually unanimous, so that the voting process "grew but tedious to the hearers" since once it was heard how the first member whose name was called had voted it was clear what the result was going to be. Not surprisingly some put "ane ill constructione" on this, suspecting (no doubt correctly) that it showed "palpable praeagreement" among members.⁴⁰ Long debates and votes showing disunity would merely serve to encourage the king, so many voted with the majority in favour of acts they had doubts about; but it always tended to be the mass of moderate ministers who were thus brought to compromise for the sake of unity, not the radicals or the lay interests represented by the elders.

The privy conference had its origins in practical necessity — the need to prepare business to be put to the assembly — but soon came to overshadow its parent body.

The same may be said of the commission of the kirk; it developed in a period of crisis to meet the kirk's need to have some permanent, central body at a time when political changes effecting religion were quick and unpredictable. But from being a temporary convenience it soon developed into a court dominating the whole kirk. It was also like the privy conference in that it had precedents which might have given warning of the ways in which it would develop. In the sixteenth century commissions had often been appointed by general assemblies to discuss (after the assembly was dissolved) with the state matters con-

³⁸ See Stevenson, "The Radical Party", 139, 140, 142-52, 154.

³⁹ Baillie, *Letters*, ii, 252. For the 1640 assembly see Stevenson, "The Radical Party", 142-8.

⁴⁰ Gordon, *History*, ii, 39.

cerning the kirk, presenting proposals to or urging policies on the king, his officials, the privy council, or parliament.⁴¹ But in the 1590s James VI had taken over the commission of the kirk for his own purposes. Previously he had denounced such commissions, but after 1594 he had usually managed to get men sympathetic to him appointed to advise him on church affairs, with commissions wide enough to allow them to make decisions in matters effecting the kirk. Men of presbyterian outlook saw clearly (at least in retrospect) that the commissions of the kirk became one of the main instruments of royal power over the kirk. John Row said of the 1594 commission that "This wes the first evident and seen wrack of our Kirk, and it was the thing that the King aimed at, and would faine have been at long before". It allowed the king to get his own way more easily in religious affairs, having only to persuade a few commissioners to support him instead of a whole assembly. The commission "was ratified and amplified in severall ensueing Assemblies; and albeit there were many heavie complaints and grevous given in aganis thir commissioners, yet the King gott them ay continued, whereby great distractions among the ministers, and much miserie ensued".⁴² David Calderwood agreed, saying of the 1597 commissioners that "They were the king's led horse, and usurped boldly the power of the General Assembly and government of the whole kirk".⁴³

However, in the end the commission did not prove an effective instrument of royal control of the kirk, through which the king could exercise the ecclesiastical jurisdiction which he claimed, since it tended to regard itself as bound by decisions of the general assembly and as answerable to it. "The king had not succeeded in turning the commissioners into another committee of the articles and the Assembly into a rubber stamp", and therefore (so Maurice Lee has argued) turned to a full revival of episcopacy to control the kirk. After 1600 commissioners of the kirk were still appointed, and still proved useful to the king, but their importance declined.⁴⁴

Nonetheless, commissions of the kirk had played a significant part in bringing the kirk under royal control, and it is therefore hardly surprising to find that when they were revived by the covenanters many ministers showed deep suspicion of them. Yet

⁴¹ D. Shaw, *The General Assemblies of the Church of Scotland, 1560-1600. Their Origins and Development* (Edinburgh, 1964), 172-3.

⁴² Row, *History*, 162-3.

⁴³ Calderwood, *History*, v, 644, quoted in M. Lee "James VI and the Revival of Episcopacy in Scotland: 1596-1600", *Church History*, xliii (1974), 57. See also *loc. cit.* 50-64 and W. L. Mathieson, *Politics and Religion* (2 vols., Glasgow, 1902), i, 274.

⁴⁴ Lee, "James VI and the Revival of Episcopacy", 63-4; Thomson, *Booke of the Universall Kirk*, iii, 959-60, 971-2, 996, 1057-8; Calderwood, *History*, vi, 121-2, 164-5, 177, 754; Mathieson, *Politics and Religion*, i, 257, 309-10.

in the circumstances of 1638-51 some such body was undoubtedly necessary; on the one hand to deal with the external relations of the kirk, negotiating with the state (the committee of estates and parliament), with English commissioners and with the king; on the other hand to maintain internal communications and discipline within the kirk by keeping ministers informed of events, exhorting them how to react to them, and disciplining dissidents. But such a body was open to two main criticisms; first, that by maintaining close relations with the state it was interfering in civil affairs, and second, that it represented a transfer of power from the ordinary courts of the church to an extraordinary one which had no legitimate place in a presbyterian system of government. By the late 1640s it was clear that both fears were justified.

Perhaps because of such doubts the commission of the kirk was at first only gradually revived after 1638. The Glasgow Assembly appointed only a limited commission, in the form of "An Act appointing the commissioners to attend the Parliament", to represent the desires of the assembly that acts of parliament be passed to add civil sanctions to religious ones to legitimise the changes made in the kirk.⁴⁵ Even such a limited commission roused doubts; Robert Baillie evidently thought it was incompatible with an act just passed forbidding ministers to exercise civil office or power.⁴⁶ Other powers which later assemblies were to give to the commission of the kirk were delegated in 1638 to separate commissions, such as those appointed to purge the kirk of anti-covenanting ministers,⁴⁷ while power to summon a general assembly in an emergency was granted to the presbytery of Edinburgh.⁴⁸

In the 1639 assembly it was again proposed to nominate a commission to represent articles to parliament, but the earl of Traquair (the king's commissioner) refused to allow this. Charles I had specifically stated that "We will not allow of any Commissioners from the Assembly, nor no such Act as may give ground for the continuing of the Tables or Conventicles".⁴⁹ But in the end Traquair weakly compromised; he agreed to a commission to attend parliament being granted to the presbytery of Edinburgh, on condition that it only met at its usual times.⁵⁰ In 1640 and 1641 the assembly reverted to appointing commissioners to attend parliament⁵¹ without any further royal protests,

⁴⁵ Peterkin, *Records*, 47; Balfour, *Historical Works*, iii, 313-15.

⁴⁶ Baillie, *Letters*, i, 174-5.

⁴⁷ Peterkin, *Records*, 47, 181.

⁴⁸ *Ibid.*, 40.

⁴⁹ G. Burnet, *The Memoires of the Lives and Actions of James and William, Dukes of Hamilton* (London, 1677), 150.

⁵⁰ Peterkin, *Records*, 209, 265, 270; Stevenson, *Scottish Revolution, 1637-44*, 165.

⁵¹ Peterkin, *Records*, 297; Baillie, *Letters*, i, 376-7.

but Charles I was right in regarding the appointing of commissioners to parliament as a pretext to establish a standing commission to provide central control of the religious side of the covenanting movement, as the unofficial "table" or meeting of ministers had done in 1637-8. The commissioners to attend parliament are thus frequently referred to simply as the commissioners of the general assembly or of the kirk.⁵² And they did much more than just attend parliament. In February 1640 and December 1641 (and doubtless on other occasions) "the Commissioners of the Generall Assembly" sent supplications to the king.⁵³ In September 1639 they felt qualified to intervene in a serious dispute between moderate and radical ministers, and to work out a compromise settlement.⁵⁴

Opponents of the commission of the kirk were thus right to see its origins in these commissions to attend parliament of 1638-41. James Gordon, minister of Rothiemay, wrote of the 1640 commission, "Thus was the foundatione laid of that extravagant church judicatorye, which wantes all precedent in all antiquitie; which, in the following yeares, grew so troublesome to the state. . . . We will see this judicatory, which heer appeared but lycke a cloude of the bignesse of ones hands, in end, in the yeares following, covering the whole heavene. . . . The comissione of the Church I meane, which in following Assemblyes was lickd into a shape, midwyfed by politicians, and its power added to it by pece meale, in a surreptitious way; not all at once, for that would have startled the creators of it of the ministrye, who did beginne to qwarell with its usurpatione too late". The commission destroyed church, king, and country,⁵⁵ and "did engrosse almost all the power of the Generall Assembly".⁵⁶

It was in 1642 that the commission finally emerged with the title that it was to keep until the end of the covenanting period, "The Commission for the Public Affairs of the Kirk"; there was no longer a parliament sitting or about to sit to make its former title plausible. Moderates in the assembly expressed fears that the new commission would encroach on the normal courts of the church, but such doubters were assured "that this commission was not to meddle with the affairs belonging to the ordinary judicatures; but only to correspond with the English

⁵² E.g., National Library of Scotland, Wodrow MS Folio LXIV, nos. 30, 31 (overtures and articles presented to parliament in 1639); Wodrow MS Folio LXV, no. 3 (minutes of the commission of the kirk, August-November 1641); *The Acts of Parliament of Scotland*, ed. T. Thomson and C. Innes (12 vols., 1814-75), v, 263, 277, 279, 594, 595, 598, 645-6.

⁵³ *Calendar of State Papers, Domestic, 1639-40* (London, 1874), 472; Baillie, *Letters*, ii, 476-8.

⁵⁴ Stevenson, "The Radical Party in the Kirk", 140.

⁵⁵ Gordon, *History*, ii, 165.

⁵⁶ *Ibid.*, iii, 221.

for promoting reformation there, and to continue no longer than that cause required".⁵⁷ The commission granted by the assembly duly stressed that the main duties of the commissioners concerned negotiations with the English, but it also authorised them to determine any other matter committed to them, and gave them power "as any Commissions of Generall Assemblies have had, and have been in use of before".⁵⁸ This was conveniently vague, and could be used to justify almost any action by the commission. No wonder Robert Baillie, after stating that the commission "which before was of small use, is lyke to become almost a constant judicatorie, and verie profitable", commented that it was "of so high a straine, that to some it is terrible allreadie".⁵⁹

Such fears were justified. The commission was soon looking not only outwards through negotiations with the state, the English and the king,⁶⁰ it was also looking inwards at the condition of the church, and sending orders to other church courts. In January 1643 the commission issued a declaration denouncing the royalist inspired "Cross-Petition", and sent orders to presbyteries that all ministers were to read the declaration from their pulpits, together with a warning about the political situation.⁶¹ This was, thought Baillie, "a verie good and necessar, bot a most peremptor and extraordinar course" which was "lyke to get punctuall obedience by all the ministers of the land".⁶² This was a little over optimistic; many moderate ministers not only disliked the contents of the declaration and warning, they questioned the right of the commission to order presbyteries to have them read. The presbytery of Stirling boldly wrote "We doubt if the generall assemblie meant that this commission wherof 12 ministers with 3 ruling elders make a quorum should emit conclusions obligatorie to the whole church of Scotland, and urge the publication therof by the whole ministrie so peremptorlie". This "seemeth to ws to come too neer the usurped power of the 12 pretended bishops".⁶³ Bishops were not

⁵⁷ Guthry, *Memoirs*, 120-1.

⁵⁸ Peterkin, *Records*, 330-1; J. Spalding, *Memorialls of the Trubles*, ed. J. Stuart (2 vols., Spalding Club, 1850-1), ii, 173-4.

⁵⁹ Baillie, *Letters*, ii, 55.

⁶⁰ E.g., Stevenson, *Scottish Revolution, 1637-44*, 252, 258-60, 278-9; SRO, CH.8/110 (petition to the king, 1642); J. Rushworth, *Historical Collections* (8 vols., London, 1659-1701), III, ii, 406-10.

⁶¹ Stevenson, *Scottish Revolution, 1637-44*, 260-1; Guthry, *Memoirs*, 125; *A Declaration against the Crosse Petition . . . By the Commissioners of the Generall Assembly* (Edinburgh, 1643); *A Necessary Warning to the Ministers of the Kirk of Scotland* (Edinburgh, 1643).

⁶² Baillie, *Letters*, ii, 59-60.

⁶³ University of Edinburgh, New College Library, MS of Baillie's Letters and Journals, ii, ff. 140r-141v, 16th February 1643, Presbytery of Stirling to [Robert Douglas, moderator of the commission?]. Folios 141v-145r contain "Observations" on the letter.

the only form of tyranny that might trouble the kirk. However, in the end, the presbytery of Stirling “to our great joy . . . became better advysed” and obeyed the commission.⁶⁴

The presbytery of Auchterarder resisted longer; the 1643 general assembly suspended one minister from it and rebuked several others for defying the commission and admitting “a great number of gentle men who were not ruling Elders” to the presbytery when the commission’s orders were discussed. The presbytery was thus “made an example to all who would be turbulent”.⁶⁵ Outside the church courts the royalist William Drummond of Hawthornden sarcastically denounced “the Great Commissioners of the General Assembly, Inquisitors of the Faith, and Men of unerring Spirit”, “haughty by their Place and Arbitrary Power”,⁶⁶ but his protests had no more effect than those of the presbyteries; the first major challenge to the growing power of the commission had been easily defeated, for most accepted the need for unity to preserve the kirk.

When a convention of estates met in June 1643 to consider intervention in the English civil war the commission presented it with outspoken remonstrances urging the need for intervention.⁶⁷ Some doubts were expressed from within the commission about whether such interference in civil affairs was justified, but the ubiquitous Wariston cited precedents persuading members that such remonstrances had once been customary.⁶⁸ Within a few months the commission appointed by the 1643 assembly was busy, on its orders, in imposing the solemn league and covenant on the kirk.⁶⁹ Many no doubt still suspected the power of the commission, but were terrorised into silence or accepted the need for strong central control in an emergency situation. Henry Guthry (who had been active in the presbytery of Stirling in opposing the commission, and had expressed doubts about the new alliance with the English) later wrote that at this time “this new-modelled commission of the general assembly (notwithstanding the fair professions made two years ago, when it was first established . . .) assumed a legislative power and enjoined obedience to their acts, *sub poena*; Yea, they became so tyrannical, that it may be admired how so much violence and

⁶⁴ Baillie, *Letters*, ii, 63, 76.

⁶⁵ SRO, CH.1/1/9, Acts and Proceedings of the General Assemblies, 1642-6, pp. 36-9, of account of 1643 assembly; Baillie, *Letters*, ii, 76, 86, 91-2. The claim in Spalding, *History*, ii, 228, that 14 presbyteries refused to read the declaration is evidently a wild exaggeration.

⁶⁶ W. Drummond, *Works* (Edinburgh, 1711), 194. This was probably one of bitter papers which Baillie refers to as having been circulated against the commission, Baillie, *Letters*, ii, 76.

⁶⁷ *The Remonstrance of the Commissioners of the General Assembly . . . June 1643* (Edinburgh, 1643); *Acts of Parliament of Scotland*, VI, i, 7, 9-11; Guthry, *Memoirs*, 132-3.

⁶⁸ Baillie, *Letters*, ii, 75; Stevenson, *Scottish Revolution 1637-44*, 278-9.

⁶⁹ *Ibid.*, 290; Peterkin, *Records*, 359-60; Guthry, *Memoirs*, 141.

cruelty (as already began to appear amongst them) could lodge in the breast of churchmen, who pretended to such piety, as did Mr Douglas, Dickson, Blair, Cant, and some others, who overruled the commission at their pleasure; there being nothing but the worst they could do, to be expected by any that should happen in the least to oppose them. This prevailed upon men to submit, for exchewing persecution".⁷⁰ Few would have expressed hatred of the commission in such extreme terms, but many would have agreed with Guthry's basic arguments.

By 1644 the commission had assumed power to depose ministers who were not staunch enough covenanters.⁷¹ Protests at this soon appeared. In 1647 David Calderwood tried to deprive the commission of such powers,⁷² and won at least partial agreement from the general assembly; in future the commission was only to carry out depositions at quarterly meetings, at which more commissioners than usual were expected to be present.⁷³

The following year more general opposition to the commission emerged. The assembly agreed to revive a 1601 act whereby trial of the conduct of the commissioners was to be the first act of each assembly;⁷⁴ a supplication "for moderating, in some things, the power of the Commission of the Church" was circulated; and the Engagers were said to have resolved that if their army succeeded in England they would abolish the commission "as a judicatorie not yet established by law". In the event of course the Engagers failed in England, and the next general assembly (1649) denounced the supplication as having "been ane overthrowing, in favour of the malignant partie, the power of the Kirk".⁷⁵ Opposition to the commission was now taken to be proof of malignancy.

In these circumstances it is hardly surprising to find that the most sustained attack on the commission came from someone beyond its jurisdiction. In March 1649 William Spang, minister to the Scottish congregation at Campvere in Holland, wrote "Generally, the grit pouer quhilk the Commission of the Kirk exerceth displeaseth all: It is but a extraordinary meeting, and yet sits constantly and more ordinarily than any Synod; yea and without the knouledge of provincial Synods and Presbyteries, deposes ministers, injoyns, pro authotitate, what write they please to be read, inflicts censures on these who will not read them. If the Kirk of Scotland look not to this in tyme, we will

⁷⁰ *Ibid.*, 148.

⁷¹ E.g., H. Scott (ed.), *Fasti Ecclesiae Scoticae* (9 vols., Edinburgh, 1915-50), iv, 258; there was a precedent of 1597 for commissions of the kirk deposing ministers, Lee, "James VI and the Revival of Episcopacy", 57.

⁷² Baillie, *Letters*, iii, 21.

⁷³ Peterkin, *Records*, 477-8, 514-15, 549-50.

⁷⁴ *Ibid.*, 496.

⁷⁵ Baillie, *Letters*, iii, 65, 95.

lament it when we cannot mend it. They say four or fyve rule that meeting; and is not the liberty of the Kirk come to a fair market thereby. . . . For God's saik, look this course in tyme be stopped, else the Commission of the Kirk will swallow up all uther ecclesiastick judicatories; and such ministers who reside in and about Edinburgh, sall at last ingross all church pouer in their hands. I know ther is a peece of prudence herby used, to get the pouer in the hands of these who are good; but what assurance have we but they may change, or uthers, following this course, creeping into their places. . . . I wishe we used prudence, leist we open a door to tyrannie, whilst we think to shut out tyrants out of the Kirk".⁷⁶

The charges that the commission came to exercise great power over other church courts, and that the power of the commission was exercised by a few leading ministers were true. The minutes of the commission which survive (after 1646)⁷⁷ indicate that a large proportion of its time was devoted to sending instructions and advice on a great variety of matters to synods and presbyteries, and to investigating the conduct of both ministers and laymen, and punishing them; functions which many thought should rest mainly in the hands of lower courts. When it came to persecution the commission of the kirk's activities were on a much larger scale (and were much more effective) than those of the old court of high commission, which the covenanters had denounced as worse than the Spanish Inquisition.⁷⁸

As to power within the commission, it does seem to be true that the same ministers and elders who usually dominated the general assembly also dominated the commission. In 1642 the assembly left it to the moderator and the clerk to "consider of a list of the fittest Persons" to be on the commission,⁷⁹ and this procedure was probably also followed in subsequent years. Membership of the commission could thus be decided in the privy conference. The minutes indicate that a fairly small group of ministers, appointed to sit on the commission year after year came to wield great powers; they were the experts, with great experience, the well known public figures, to whom other members deferred. Much business was referred to committees of the commission, and on these committees the same few names tended to recur again and again. Robert Douglas was not only moderator of the general assembly five times, he became virtually the constant moderator of the commission. His name occurs as moderator of the 1642-3 commission, and of that of

⁷⁶ *Ibid.*, iii, 81-2.

⁷⁷ A. F. Mitchell and J. Christie (eds.), *The Records of the Commissions of the General Assemblies [RCGA]*, (3 vols., Scottish History Society, 1892-1909).

⁷⁸ Stevenson, *Scottish Revolution, 1637-44*, 180.

⁷⁹ SRO, CH./1/1/9, account of 1642 assembly, p. 74.

1643-4 until he left to join the Scottish army in England (whereupon William Bennet took over).⁸⁰ In 1646-7 Robert Blair moderated at first but later William Bennet and Robert Douglas sat in his absence. In 1647-8 Douglas moderated, and in 1648-9 he took over from George Gillespie who fell ill soon after being appointed moderator. In 1649-50 and 1650-1 Douglas again moderated.⁸¹ Like Douglas, most of the ministers who dominated the commission were men who had parishes in or relatively near Edinburgh, for not surprisingly these were the members who attended meetings most regularly. At least one meeting indeed consisted of ministers entirely from the synod of Lothian and Tweeddale who happened to be in Edinburgh for the synod when a meeting of the commission was called at short notice.⁸²

For most of the covenanting period the commission of the kirk was the instrument of the more extreme covenanters for controlling the kirk between meetings of the general assembly. It by no means gave them absolute power; they always had to limit their ambitions to some extent in deference to the more moderate ministers, to elders, and to lay covenanters outside the church courts. Nonetheless, their management of the assembly and the commission gave them far greater influence in the kirk than numbers alone entitled them to. But eventually internal disputes among the leading covenanters altered this situation. In 1650-1 the more extreme and the more moderate leading ministers of the kirk party split on political issues, especially over attitudes to Charles II and the English Commonwealth. The more moderate men of the kirk party, like Robert Douglas and Robert Blair, began to favour making concessions to the king and his allies; these were bitterly opposed by the extremists. With the leading covenanting ministers divided among themselves the opinions of the mass of moderate ministers came to be heard increasingly — and the more extreme no longer had powerful lay support to counteract this. They tried to continue to “manage” the central courts of the kirk but failed, and their efforts at management roused increasing resentment, even from some who had formerly co-operated with them; it is rather strange to find Robert Baillie writing “I have oft regrated of late to see the Judicatories of the Church soe easily ledd to whatever some few of our busie men designed”⁸³ since in the past he himself had been not the least of these “busie men”.

First the extremists (now the remonstrant or protester party) lost control of the commission of the kirk; they withdrew from it when (still under Douglas’s moderation) it rejected the

⁸⁰ SRO, CH.8/110; Guthry, *Memoirs*, 149.

⁸¹ *RCGA.*, passim, especially i, 6-7, 10, 22, 304, ii, 7, 35, 302, iii, 7.

⁸² *Ibid.*, i, 515.

⁸³ Baillie, *Letters*, iii, 115.

Western Remonstrance.⁸⁴ They then demanded that the members of the commission who opposed them be tried by the 1651 general assembly, and claimed that, as their opponents were to be tried by the assembly they could not sit in it. This was one of the management tricks that had been used in 1638 to exclude the bishops and their supporters from the Glasgow Assembly. Now, however, it failed to work; the extremists were isolated and their demands ignored. The assembly approved the work of the commission, whereupon the protesters withdrew from the assembly and refused to recognise its legitimacy.⁸⁵ Having failed to “manage” the more moderate majority in the kirk any longer, the extremists disowned it.

APPENDIX: MEMBERSHIPS AND ATTENDANCES

Complete membership rolls survive for the general assemblies of 1638 and for 1643-6, along with incomplete ones for 1639 and 1642.⁸⁶ In the complete rolls membership varies between 163 and 237, while the percentage of elders among members fluctuates from 31% to 43%, as Table 1⁸⁷ indicates:

Year	1638	1643	1644	1645	1646
Ministers	142 (60%)	137 (59%)	134 (62%)	128 (57%)	113 (69%)
Nobles	16 (7%)	17 (7%)	10 (5%)	22 (10%)	6 (4%)
Lairds	33 (14%)	44 (19%)	45 (21%)	35 (16%)	29 (18%)
Burgesses	46 (19%)	36 (15%)	27 (12%)	38 (17%)	15 (9%)
Total Elders	95 (40%)	97 (41%)	82 (38%)	95 (43%)	50 (31%)
Total	237	234	216	223	163

TABLE 1: Membership of the General Assembly, 1638, 1643-6

Analysis of the rolls for 1643-6 show that in these four years about 345 different ministers sat in the assembly (about a third of the total number of ministers). About 226 of them attended only one assembly, 88 attended two, 20 attended three and 11 attended all four.⁸⁸ Elders were less likely to attend assemblies regularly; of about 260 elders who sat in 1643-6 no fewer than 203 sat only once. Thus about 80% of the elders sat only once in four years, compared with about 65% of the ministers.

⁸⁴ RCGA, iii, 132; W. Stephen (ed.), *Register of the Consultations of the Ministers of Edinburgh* (2 vols., Scottish History Society, 1921-30), i, 300-1.

⁸⁵ Peterkin, *Records*, 626-7, 629, 630-2.

⁸⁶ *Ibid.*, 109-11, 237-8; SRO, CH.1/1/9.

⁸⁷ In Table 1 the figures for ministers include the few university commissioners — 2 (1%) in 1638 and 4 (2%) in the other four assemblies.

⁸⁸ These figures can only be approximate; in a few cases two ministers of the same name may have been treated as one, while a few who changed parishes and therefore sat in different assemblies for different presbyteries may have been counted twice.

Of the elders who had sat in the Glasgow Assembly of 1638 under one-third (about 30 out of 95) appear in any of the 1643-6 assemblies, compared with over half of the ministers who had been present in 1638 (at least 75 out of 142). This confirms the pattern that ministers were more likely to attend several assemblies than elders.

These figures do not at first sight appear to support charges that the general assemblies of this period were made up of much the same members, with just a few changed;⁸⁹ what gave this impression was the fact that year after year the most prominent men in the assemblies remained the same. Those who sat in all four assemblies in 1643-6 included David Dickson, David Calderwood and James Guthrie, while Robert Blair and Andrew Cant attended three of the four.⁹⁰

Membership of the commission of the kirk (see Table 2) between 1642-3 and 1650-1 varied between 73 and 163, while the proportion of elders moved between 34% and 43%⁹¹ — roughly the same proportions as in the general assembly.

	1642-3	1643-4	1644-5	1645-6	1646-7
Ministers	48 (66%)	53 (59%)	70 (57%)	105 (65%)	89 (63%)
Nobles	10 (14%)	16 (18%)	20 (16%)	23 (14%)	15 (11%)
Lairds	8 (11%)	13 (14%)	20 (16%)	20 (12%)	24 (17%)
Burgesses	7 (10%)	8 (9%)	13 (11%)	13 (8%)	14 (10%)
Total Elders	25 (34%)	37 (41%)	53 (43%)	56 (35%)	53 (37%)
Total	73	90	123	161	142

	1647-8	1648-9	1649-50	1650-1
Ministers	97 (62%)	100 (63%)	96 (59%)	90 (60%)
Nobles	19 (12%)	12 (8%)	11 (7%)	13 (9%)
Lairds	29 (19%)	30 (19%)	40 (25%)	30 (20%)
Burgesses	11 (7%)	17 (11%)	16 (10%)	18 (12%)
Total Elders	59 (38%)	59 (37%)	67 (41%)	61 (40%)
Total	156	159	163	151

TABLE 2: Membership of the Commission of the Kirk, 1642-51

A total of about 296 different ministers were appointed to sit on the nine commissions of 1642-51. Only five sat nine times (Robert Blair, Robert Douglas, David Dickson, Andrew Cant, Samuel Rutherford), nine sat eight times (including Robert

⁸⁹ Gordon, *History*, iii, 249.

⁹⁰ In 1643-6 Alexander Henderson, Robert Baillie, George Gillespie and Samuel Rutherford could not sit in the assembly regularly since they spent much of their time in England attending the Westminster Assembly.

⁹¹ Membership of, and attendance at, the commissions of 1651-2 and 1652-3 have been omitted since by then the kirk was split by schism and the commission had lost most of its power.

Baillie, Patrick Gillespie and David Calderwood), and five sat seven times. As with the figures for membership of the assembly these figures do not fully bear out complaints that the commission consisted of exactly the same men year after year.⁹² But, again as with the assembly, the commission was dominated by a relatively small number of ministers who sat regularly; of the 296 ministers appointed to the commission 190 were appointed only once, and thus had little chance to gain experience or reputation. Moreover though membership of the commission was large, regular attendance was not; as Table 3⁹³ shows the commission was in practice a fairly small body. Many members seldom if ever attended, while a few sat almost continuously. On average meetings of the commissions of 1646-7 to 1649-50 were attended by only one-fifth of members, those of the 1650-1 commission by less than one-sixth of members.

	1646-7	1647-8	1648-9	1649-50	1650-1
Ministers	22	25	21	24	20
Elders	7	6	8	7	4
Total	29	31	29	31	24

TABLE 3: Average number of Members present at meetings of the Commission of the Kirk, 1646-51

Analysis of attendances at the commission's meetings indicates that ministers were better attenders than elders. Table 4 shows, for each commission, the result of dividing the percentage of total membership of the commission constituted by each group within it, into the percentage of total attendances at meetings constituted by each group. A score of over one indicates that members of that group attended more frequently than the average member. Thus, for example, in 1646-7 ministers made up 63% of membership of the commission, but they accounted for 77% of attendances at meetings, so ministers score (on Table 4) $77 \div 63 = 1.2$. Ministers consistently score over one, elders less than one. Among elders, the nobles emerge as the least frequent attenders.

	1646-7	1647-8	1648-9	1649-50	1650-1
Ministers	1.2	1.3	1.2	1.3	1.4
Nobles	.3	.2	.4	.6	.3
Lairds	.8	.5	.9	.6	.6
Burgesses	.6	.8	.5	.4	.4
Total Elders	.6	.5	.7	.5	.5

TABLE 4: Attendance at the Commission of the Kirk, 1646-51

If the lay covenanters were determined to retain ultimate control of the kirk (as has been argued in this paper and else-

⁹² Guthry, *Memoirs*, 148, 177-8, 221, 281.

⁹³ Calculated from the sederunts in *RCGA*, *passim*.

where),⁹⁴ why did they show so little interest in trying (as elders) to dominate the commission of the kirk? Probably this was a sign of the confidence of the leading lay covenanters, of their belief that the ministers well realised that the covenanting reformation had only been possible through lay support, and that therefore they had to avoid alienating lay interests. Laymen did not need to attend church courts in strength as elders in order to make their influence felt. If this was the case, such confidence proved misplaced in 1648 when the commission defied the state by denouncing the Engagement. But when this happened the noble elders simply withdrew from the commission; at the last 84 meetings of the 1647-8 commission (13th March-12th May 1648) noble elders were present on only 13 occasions.⁹⁵ Instead of sitting more regularly to try to win over the commission they turned their backs on it, confident that they could successfully defy the commission and even the general assembly. Events proved that the Engagers were correct; it was defeat in England that destroyed them, not the opposition of the kirk, though the latter was certainly a serious nuisance to them.

⁹⁴ Stevenson, *Scottish Revolution, 1637-44*.

⁹⁵ *RCGA*, ii, 389-50. Even some of the elders who undoubtedly had a deep interest in the government of the kirk often failed to attend meetings of the commission regularly, since much of their time was taken up with affairs of state. Thus in 1646-51 the marquis of Argyll and Johnston of Wariston were each present at only 49 meetings of the commission out of a total of 559 recorded.

